

Notice of Allowability

Application No.

09/311,952

Applicant(s)

MURAYAMA ET AL.

Examiner

Hai V. Nguyen

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 19 August 2004.
2. ☒ The allowed claim(s) is/are 88-107 which is numbered as 1-20.
3. ☒ The drawings filed on 18 May 1999 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. In the specification, on pages 4-5, there is only the figure 14 was mentioned; however, in the drawings, there are actually the figures 14a and 14b shown. Therefore, in order to be consistent with the drawings, Examiner amends the specification on pages 4-5 with regarding the figure 14a and 14b as follows:

Please delete line 28 on page 4 and line 1 on page 5, "Fig. 14 is a flow chart of the remote requirement actual disk processing;"

Please amend line 28 on page 4 and line 1 on page 5 as follows:

"Fig. 14a is a flow chart of the remote requirement actual disk processing;

Fig. 14b is a flow chart of the remote requirement actual disk processing;"

Reasons For Allowance

2. The following is an examiner's statement of reasons for allowance:

The primary reasons for allowance of the claims are the inclusion of "*a disk request processing section, separate from the processor, which receives said disk request from the processor, determines whether said disk request requests access to a shared disk connected to said computer or requests access to a shared disk connected to another computer and sends said disk request to the shared disk connected to said computer if said disk request requests access to the shared disk connected to said computer, and sends said disk request to said another computer to access a shared disk connected to said another computer if said disk request requests access to the shared disk connected to said another computer*" in independent claims 88, 100 and "said request

processing section, separate from said processor, which controls access to said shared disks based on said shared disk request from said processor, wherein said disk request processing section comprises: a disk request judging section for judging whether said disk request received from said processor requests access to a shared disk connected to said computer or requests access to a shared disk connected to another computer based on said structural definition information." in independent claims 96, 104. Crawford et al. U.S patent # 5,711,354, Attanasio et al. U.S patent # 5,668,943, do not have these limitations and the inclusion of "Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Patent" received on 26 June 2002. This instant application is a continuation of the patent # 5,935,205.

3. The Examiner's interpretation of the claim language is also based upon Applicant's remarks received on 19 August 2004 (pages 11-15) and the enabling portions of the specification, (Fig. 11, pages 15-18).

4. **Claims 88-107 that is renumbered as 1-20** is allowed.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

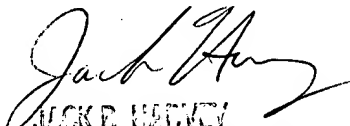
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 571-272-3901. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 571-272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JACK D. HARVEY
SUPERVISORY PATENT EXAMINER

Hai V. Nguyen
Examiner
Art Unit 2142

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